AMENDMENTS TO THE CLAIMS

1. **(Currently Amended)** A negative electrode material for non-aqueous electrolyte secondary batteries, ~~wherein~~ comprising:

a negative electrode active material containing a lithium ion-occluding and releasing material selected from the group consisting of silicon particles having an average particle size of about 0.01 to 50 μm, silicon oxide particles represented by the general formula SiO_x wherein $1.0 \leq x < 1.6$ and having an average particle size of about 0.01 to 50 μm, composite dispersion particles having an average particle size of about 0.01 to 50 μm where metallic silicon crystallites having an average particle size of about 1 to 500 nm are dispersed in a crystalline or amorphous silicon dioxide, and mixtures thereof, which has been treated with an organosilicon base surface treating agent, ~~is surface-coated~~ and surface-coated with a conductive coating.

2. **(Cancelled)**

3. (Original) The negative electrode material of claim 1 wherein said organosilicon base surface treating agent is at least one member selected from the group consisting of a silane coupling agent or a (partial) hydrolytic condensate thereof, a silylating agent, and a silicone resin.

4. **(Currently Amended)** ~~The~~ A negative electrode material ~~of claim 3 wherein~~ said for non-aqueous electrolyte secondary batteries, comprising:

a negative electrode active material containing a lithium ion-occluding and releasing material which has been treated with an organosilicon base surface treating agent is at least one member selected from the group consisting of a silane coupling agent of the general formula (1) or a (partial) hydrolytic condensate thereof, a silylating agent of the general formula (2), and a silicone resin of the general formula (3),

$$R_{(4-n)}Si(Y)_n \qquad (1)$$

$$(R_mSi)_l(Y)_p \qquad (2)$$

wherein R is a monovalent organic group, Y is a hydrolyzable group or hydroxyl group, n is an integer of 1 to 4, p is an integer of 1 to 3, L is an integer of 2 to 4, and m is an integer of 1 to 3,

$$R^1_q(R^2O)_rSiO_{(4-q-r)/2} \qquad (3)$$

wherein R^1 is hydrogen or a substituted or unsubstituted monovalent hydrocarbon group of 1 to 10 carbon atoms, R^2 is hydrogen or a substituted or unsubstituted monovalent hydrocarbon group of 1 to 6 carbon atoms, q and r each are 0 or a positive number satisfying $0 \le q \le 2.5$, $0.01 \le r \le 3$, and $0.5 \le q+r \le 3$ and surface-coated with a conductive coating.

5. (Original) The negative electrode material of claim 1 wherein said conductive coating is a carbon coating.

6. (Original) The negative electrode material of claim 5 wherein the amount of carbon coated is 5 to 70% by weight of said negative electrode active material.

7. (Withdrawn) A method of preparing a negative electrode material for non-aqueous electrolyte secondary batteries, comprising the step of heat treating a negative electrode active material containing a lithium ion-occluding and releasing material which has been treated with an organosilicon base surface treating agent, in an atmosphere containing an organic material gas or vapor at a temperature in the range of 500 to 1400°C.

8. (Withdrawn) The method of claim 7 wherein the organic material gas or vapor is thermally decomposed to form graphite in a non-oxidizing atmosphere at a temperature in the range of 500 to 1400°C.

9. (**Currently Amended**) A lithium ion secondary battery comprising the negative electrode material of claim 1 or 4 as a negative electrode active material.

10. (Previously Presented) The negative electrode material of claim 1, wherein said lithium ion-occluding and releasing material is a metallic silicon powder having an average particle size of 3.5 μm and a BET specific surface area of 4 m^2/g or a silicon oxide powder $SiO_{1.02}$ having an average particle size of 1.1 μm and a BET specific surface area of 10.3 m^2/g, and said surface treating agent is vinyltrimethoxysilane, γ-methacryloxypropyl-trimethoxysilane, or hexamethyldisilazane.